

Introduced by

1 A BILL for an Act to amend and reenact section 54-27-25 of the North Dakota Century Code,
2 relating to city and county employee tobacco education and cessation programs; and to provide
3 an appropriation for defraying the expenses of the tobacco education and cessation programs.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 54-27-25 of the 1999 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **54-27-25. Tobacco settlement trust fund - Interest on fund - Uses.** There is created
8 in the state treasury a tobacco settlement trust fund. The fund consists of the tobacco
9 settlement dollars obtained by the state under sections IX (payments) and XI (calculation and
10 disbursement of payments) of the master settlement agreement and consent agreement
11 adopted by the east central judicial district court in its judgment entered December 28, 1998
12 [Civil No. 98-3778]. All moneys received by the state pursuant to the judgment and all moneys
13 received by the state for enforcement of the judgment must be deposited in the fund. Interest
14 earned on the fund must be credited to the fund and deposited in the fund. The principal and
15 interest of the fund must be allocated as follows:

- 16 1. Transfers to a community health trust fund to be administered by the state
17 department of health. The state department of health may use funds as
18 appropriated for community-based public health programs and other public health
19 programs, including programs with emphasis on preventing or reducing tobacco
20 usage in this state. Transfers under this subsection must equal ten percent of total
21 annual transfers from the tobacco settlement trust fund.
- 22 2. Transfers to the common schools trust fund to become a part of the principal of
23 that fund. Transfers under this subsection must equal ~~forty-five~~ forty-four and
24 one-half percent of total annual transfers from the tobacco settlement trust fund.

3. Transfers to the water development trust fund to be used to address the long-term water development and management needs of the state. Transfers under this subsection must equal ~~forty-five~~ forty-four and one-half percent of the total annual transfers from the tobacco settlement trust fund.

4. Transfers to a city and county tobacco education and cessation trust fund to be administered by the state department of health. The state department of health shall use the funds as appropriated for distribution to cities and counties on a dollar-for-dollar matching fund basis for city and county employee tobacco education and cessation programs. Transfers under this subsection must equal one percent of total annual transfers from the tobacco settlement trust fund.

Notwithstanding the provisions of this section, during each biennium transfers that would be made to the common schools trust fund under subsection 2 must instead be transferred to the water development trust fund until the state water commission certifies to the state treasurer that deposits in the water development trust fund during that biennium are sufficient to pay the principal and interest for that biennium on bonds authorized under section 61-02.1-01. When that certification is received, the state treasurer shall determine the amount deposited in the water development trust fund during that biennium and transfers that would be made to the water development trust fund under subsection 3 must instead be transferred to the common schools trust fund until deposits in the common schools trust fund during that biennium are equal to the amount deposited in the water development trust fund during that biennium or until the end of the biennium, whichever occurs first.

Transfers to the funds under this section must be made within thirty days of receipt by the tobacco settlement trust fund.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the city and county tobacco education and cessation trust fund, not otherwise appropriated, the sum of \$521,828, or so much of the sum as may be necessary, to the state department of health for the purpose of city and county employee tobacco education and cessation program matching grants, for the biennium beginning July 1, 2001, and ending June 30, 2003.